

UNITED STATES OF AMERICA  
UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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MICHAEL JOSEPH PIERCE,

Plaintiff,

Case No. 1:13-cv-667

v.

Honorable Robert Holmes Bell

COUNTY OF KENT et al.,

Defendants.

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**ORDER**

This is a civil rights action brought by a state prisoner pursuant to 42 U.S.C. § 1983. By order entered July 16, 2013 (docket #4), the Court granted Plaintiff's request to proceed *in forma pauperis* and required Plaintiff to pay an initial partial filing fee of \$48.62 pursuant to 28 U.S.C. § 1915(b)(1). The Court ordered that the initial partial filing fee be paid within 28 days, and warned Plaintiff that his case would be dismissed without prejudice should he fail to pay. The Court also warned Plaintiff that he would remain liable for the filing fee.

More than twenty-eight days have now elapsed, and Plaintiff has not paid the fee. Because Plaintiff has failed to comply with the Court's order, the Court will dismiss the action without prejudice for lack of prosecution. Plaintiff shall remain liable for the \$350.00 civil action filing fee.

Dated: September 10, 2013

/s/ Robert Holmes Bell  
ROBERT HOLMES BELL  
UNITED STATES DISTRICT JUDGE